

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA

Plaintiff.

v.

Case No. 11-20129

Case No. 11-20066

SCOTT WILLIAM SUTHERLAND, D-1,
PATRICK MICHAEL MCKEOUN, D-4,
JEFF GARVIN SMITH, D-5,
PAUL ANTHONY DARRAH, D-6/D-2,
CARY DALE VANDIVER, D-7/D-5,
VINCENT WITORT, D-8,
DAVID RANDY DROSZDOWSKI, D-17,

Defendants.

JURY TRIAL - VOLUME XXVIII - PART A

BEFORE THE HONORABLE ROBERT H. CLELAND
United States District Judge
Theodore Levin United States Courthouse
231 West Lafayette Street
Detroit, Michigan 48226
Thursday, December 11, 2014

APPEARANCES:

FOR THE PLAINTIFF: SAIMA MOHSIN
ERIC STRAUS
U.S. Attorney's Office
211 W. Fort Street
Detroit, MI 48226

JEROME MAIATICO
U.S. Department of Justice
1301 New York Avenue, NW
Washington, DC 20005

FOR THE DEFENDANT: CRAIG A. DALY
(Sutherland, D-1)
615 Ford Building
Suite 820
Detroit, MI 48226

1 APPEARANCES: (continued)

2 FOR THE DEFENDANT: SIDNEY KRAIZMAN
3 (McKeoun, D-4)
4 1616 Ford Building
5 Detroit, MI 48226

6 JEROME SABBOTA
7 (Smith, D-5/D-1)
8 26862 Woodward Avenue
9 Suite 200
10 Royal Oak, MI 48067

11 PATRICIA A. MACERONI
12 (Darrah, D-6/D-2)
13 26611 Woodward Avenue
14 Huntington Woods, MI 48070

15 MARK A. SATAWA
16 (Vandiver, D-7/D-5)
17 3000 Town Center, Suite 1800
18 Southfield, MI 48075

19 KIMBERLY W. STOUT
20 (Witort, D-8)
21 370 East Maple Road, Third Floor
22 Birmingham, MI 48009

23 BYRON H. PITTS
24 535 Griswold, Suite 1630
25 Detroit, MI 48226

PHILLIP D. COMORSKI
535 Griswold
2632 Buhl Building
Detroit, MI 48226

RYAN H. MACHASIC
(Drowzdowski, D-17)
134 Market Street
Mount Clemens, MI 48043

23 To Obtain a Certified Transcript Contact:
24 Carol S. Sapala
25 RMR, FCRR, CSR (313)961-7552
Proceedings produced by mechanical stenography.
Transcript produced by computer-aided transcription.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I N D E X

JURY TRIAL, VOLUME XVI PAGE

WITNESSES FOR THE GOVERNMENT:

LORI MADAY (continuing

Cross Examination by Mr. Maschiac (cont.) 6
Redirect Examination by Mr. Straus 31

CHRIS ADAMS

Direct Examination by Mr. Straus 38
Cross Examination by Ms. Maceroni 48
Redirect Examination by Mr. Straus 57

LILLIAN GEORGE

Direct Examination by Ms. Mohsin 62

Certificate of Court Reporter 86

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

E X H I B I T S

IDENTIFICATION	PAGE
Government Exhibit 11-33	79
Government Exhibit 11-34	79
Government Exhibit 11-36	79
Government Exhibit 11-38 thru 42	79
Government Exhibit 11-52	79
Government Exhibit 11-54	79
Government Exhibit 11-55	79
Government Exhibit 11-57	79
Government Exhibit 11-58 thru 65	79
Government Exhibit 11-67-68	79
Government Exhibit 70-78	79
Defense Exhibit 13	25

Jury Trial Vol. XXVIII - 12/11/14
Lori Maday-Cross Exam/Mr. Machasic (cont.)

1 Detroit, Michigan

2 December 11, 2014

3 9:09 a.m.

4 * * *

5 (Call to Order of the Court; all
6 parties present)

7 THE CLERK: Calling case number 11-20066 and
8 11-20219, United States versus Scott Sutherland, *et al.*

9 THE COURT: Morning to counsel and parties.
10 Everyone is seated. Jury's now here and all seated.
11 Parties and counsel may be seated. I will note the
12 presence of all defendants and all attorneys as well.

13 Good morning to the members of the jury.

14 JURORS: Morning.

15 THE COURT: And we will, at your request that
16 I received through staff we'll recess a little bit early
17 this afternoon 4:15, perhaps even a little bit earlier
18 then that.

19 People have outside activities I understand to
20 attend, some people do. So we'll run on that sort of
21 schedule, please, counsel.

22 All right. Then for presentation, this morning,
23 Mr. Straus?

24 MR. STRAUS: I believe it would be cross
25 examination of Ms. Maday.

Usa v Sutherland, et al 11-20129; 11-20066

Jury Trial Vol. XXVIII - 12/11/14
Lori Maday-Cross Exam/Mr. Machasic (cont.)

1 THE COURT: You have her present? All right.

2 (Whereupon the witness resumed the stand

3 and testified further as follows)

4 THE COURT: Good morning, ma'am. Please have
5 a seat. You understand your oath continues from
6 yesterday.

7 THE WITNESS: Yes.

8 THE COURT: All right. And any additional
9 questions, Mr. Machasic?

10 MR. MACHASIC: Thank you. Judge.

11 CROSS EXAMINATION (continuing)

12 BY MR. MACHASIC:

13 Q Good morning, Ms. Maday. How are you?

14 A Good.

15 Q I just have a few follow up questions based on the
16 government's direct examination of you.

17 THE COURT: You might want to bend that
18 microphone so that it the tip of it more like that. I
19 think it's sort of -- it's directional.

20 So go ahead, sir.

21 BY MR. MACHASIC:

22 Q Is this better?

23 Can you hear me better, Ms. Maday?

24 A Yes.

25 Q I'm going to ask you a little bit about the timing

Jury Trial Vol. XXVIII - 12/11/14
Lori Maday-Cross Exam/Mr. Machasic (cont.)

1 of things.

2 And that is, was it in 2010, was it August or
3 September about that time, late Summer, that you met
4 Mr. Drozdowski?

5 A Yes.

6 Q It was at Clem's Pourhouse?

7 A Yes.

8 Q Where's Clem's Pourhouse?

9 A 696 and Van Dyke.

10 Q That's a bar?

11 A It was, yes.

12 Q Was it a biker bar?

13 A They were known to be there, yes.

14 Q Okay. And at the time Dave was living on Anchor
15 Bay Drive?

16 A He moved to Anchor Bay Drive. He was first staying
17 on, I believe, it was Fruit or some kind of road within
18 that vicinity.

19 Q Okay. So sometime shortly after you met, though,
20 he moved to Anchor Bay; is that my understanding?

21 A Yes.

22 Q He moved in with "Lurch"?

23 A Yes.

24 Q "Lurch" was a Vigilante, right?

25 A Correct.

Jury Trial Vol. XXVIII - 12/11/14
Lori Maday-Cross Exam/Mr. Machasic (cont.)

1 Q Not a Devil's Diciples?

2 A No.

3 Q And "Lurch" was like a good friend of Dave's or --

4 A I believe there was some form of cousins.

5 Q Cousins? All right.

6 Do you know if they were just like close and they
7 called each other 'cuz or --

8 A Probably. I couldn't say for sure.

9 Q Okay. And then you moved in with Dave about late
10 2011 onto Maurice?

11 A Yes.

12 Q Okay. And between Lurch's place -- so the place on
13 Anchor Bay and Maurice, that's when you lived with,
14 briefly, April and SA?

15 A Yes.

16 Q Now during that time with April and SA, you said
17 Dave was making methamphetamine in a shed?

18 A Uh-huh.

19 Q Okay. Not in April and SA's house, in a shed.
20 Correct?

21 A Uh-huh.

22 THE COURT: You need to say more than uh-huh.

23 THE WITNESS: Yes.

24 THE COURT: Thank you.

25 THE WITNESS: Yes.

Jury Trial Vol. XXVIII - 12/11/14
Lori Maday-Cross Exam/Mr. Machasic (cont.)

1 MR. MACHASIC: Thank you, Ms. Maday.

2 BY MR. MACHASIC:

3 Q You would stay in the house with April, right?

4 A Yes.

5 Q And with the kids, right?

6 A Yes.

7 Q Now at the Anchor Bay Drive address, Dave, a couple
8 times, made meth there, right?

9 A Uh-huh. Yes.

10 Q Now before leaving Anchor Bay Drive, "Lurch" had
11 already move out, right?

12 A Yes.

13 Q And he moved out because Dave wasn't holding up his
14 end of the bargain, not paying any of the bills or
15 contributing to the rent?

16 A Yes.

17 Q And that was because Dave was pretty much always
18 broke, right?

19 A Yes.

20 Q And I can't think of a more delicate term.

21 So he was kind of a mooch?

22 A Yes.

23 Q You paid the bills?

24 A I'm sorry?

25 Q You paid the bills, right?

Jury Trial Vol. XXVIII - 12/11/14
Lori Maday-Cross Exam/Mr. Machasic (cont.)

1 A I -- yes.

2 Q Okay. And at some point, Dave got a motorcycle,
3 right?

4 A Yes.

5 Q And in the end, you ended up paying for that
6 motorcycle, right?

7 A Yes.

8 Q Okay. Now, also in 2011, there was a time where
9 Dave went back to work as a Mason, right?

10 A Correct.

11 Q Okay. From maybe Spring to November or whenever
12 the season would stop for masonry?

13 A Yes.

14 Q And he was working with Tony and NC Cement?

15 A Yes.

16 Q And even during that time, you still pretty much
17 had to contribute the vast majority towards --

18 A Yes.

19 Q -- all the bills?

20 A Yes.

21 Q Okay. In fact, Dave was even behind in his club
22 dues, right?

23 A Yes.

24 Q Now the -- so you go into Maurice.

25 And then at Maurice, Dave's also making meth in the

Jury Trial Vol. XXVIII - 12/11/14
Lori Maday-Cross Exam/Mr. Machasic (cont.)

1 shed, right?

2 A Yes.

3 Q Now at the Maurice address when the FBI came in and
4 executed the search warrant, they found ammunition.

5 Do you recall that?

6 A Yes.

7 Q Okay. And that was in a box up on a shelf, like a
8 moving box?

9 A It was on the shelf, top shelf in the back. I had
10 unloaded it from the box when we moved in.

11 Q Okay. And so these were in boxes that you had
12 moved from -- had come with you along from Anchor Bay
13 Drive?

14 A Correct.

15 Q And in that box, those were actually Lurch's things
16 contained within that box, right?

17 A Yes.

18 Q And so the ammo, the ammunition, was actually
19 Lurch's ammunition, right?

20 A My understanding, yes.

21 Q Okay. They were like size 13 shoes or boots in
22 that box?

23 A Yes.

24 Q Do you recall?

25 And David Drozdowski does not wear size 13 shoes,

Jury Trial Vol. XXVIII - 12/11/14
Lori Maday-Cross Exam/Mr. Machasic (cont.)

1 does he?

2 A No.

3 Q Also, when they came in and executed the search
4 warrant, they took the motorcycle that was in the shed,
5 right?

6 A Correct.

7 Q So they went in the shed and they took the
8 motorcycle?

9 A Correct.

10 Q And they kept it?

11 A Yes.

12 Q Okay. By the way, that motorcycle had -- did you
13 and/or Dave name it?

14 A Yes.

15 Q And was that motorcycle named Rose?

16 A Yes.

17 Q That was after you, correct?

18 A Yes.

19 Q Now over the course of knowing Dave, beginning your
20 relationship with him, he started using or was using
21 meth when you first met him, right?

22 A Yes.

23 Q You were attracted to him because this was -- this
24 was back at Clem's Pourhouse.

25 He was kind of edgy, right?

Jury Trial Vol. XXVIII - 12/11/14
Lori Maday-Cross Exam/Mr. Machasic (cont.)

1 A Yes.

2 Q He had tattoos?

3 A Yes.

4 Q Kind of -- kind of the bad boy look?

5 A Yes.

6 Q Okay. And I think you said he was your chase?

7 A Yes.

8 Q And so you actually you pursued --

9 A Yes.

10 Q -- Mr. Drozdowski?

11 A Yes.

12 Q Eventually, you established a relationship, started
13 dating and had been together?

14 A Yes.

15 Q Your parents live in the area, right?

16 A They live in Michigan.

17 Q Okay. And you actually moved stuff from your
18 family home when you moved in with Dave, correct?

19 A Yes.

20 Q Okay. Now over the course of time, your Meth habit
21 increased, right?

22 A Correct.

23 Q And Dave's did as well, correct?

24 A Correct.

25 Q And you and Dave, you were using more and more Meth

Jury Trial Vol. XXVIII - 12/11/14
Lori Maday-Cross Exam/Mr. Machasic (cont.)

1 as time progressed, yes?

2 A Yes.

3 Q And to the point where, I mean, Dave would use Meth
4 any chance he got.

5 If he could get his hands on it, he would use Meth,
6 right?

7 A Yes.

8 Q It became so bad, he would stay up for two or three
9 days at a time on Meth, constantly taking Meth, keeping
10 his high, right?

11 A Yes.

12 Q Now you talked about seeing I think this was at
13 Chad's house?

14 A Correct.

15 Q They would go out in the garage and they make Meth.

16 And you saw a coffee filter being brought in; do
17 you recall that?

18 A Yes.

19 Q They would -- once they brought that in, Chad and
20 Dave actually shared what they had made, right?

21 A Correct.

22 Q They would sit around and use it.

23 They would get high?

24 A Correct.

25 Q So they would go out away from you, make that Meth,

Jury Trial Vol. XXVIII - 12/11/14
Lori Maday-Cross Exam/Mr. Machasic (cont.)

1 and they'd come in and party get high?

2 A Correct.

3 Q What was the delivery method? How did you two use
4 Meth?

5 A Snorted it.

6 Q Snorted it?

7 A Yes.

8 Q Okay. Did you put that on a mirror or on spoon?
9 How do you snort Meth?

10 A On a mirror or using your thumb.

11 Q Your thumb?

12 After Anchor Bay you moved to SA and April's.

13 And that was for a brief period of time, only for a
14 couple of months?

15 A Correct.

16 Q And this was SA and April, April Sykes?

17 A Correct.

18 Q And April was kind of a Drama Queen, I guess, is
19 the best word?

20 A Correct.

21 Q And she would exaggerate blow things up and kind of
22 try to start conflict, right?

23 A Correct.

24 Q This wasn't just one time, this was pretty much her
25 M.O. the way that she operated?

Jury Trial Vol. XXVIII - 12/11/14
Lori Maday-Cross Exam/Mr. Machasic (cont.)

1 A Correct.

2 Q It was the April show, 24/7, right?

3 A Correct.

4 Q And you got out of that -- April's house.

5 And you and Dave went got your place on Maurice,
6 right?

7 A Correct.

8 Q Now Dave would not just use Meth at home, right?

9 A Correct.

10 Q He would actually go out and party?

11 A Correct.

12 Q Okay. And in the beginning, he would party with
13 people at work at Clem's, right?

14 A Uh-huh.

15 Q You would use Meth with those people. Yes?

16 A Yes.

17 Q And he would party with you.

18 You guys would use Meth. Yes?

19 A Correct.

20 Q And he would party at the club.

21 And you said that he would use Meth at the club as
22 well, right?

23 A Correct.

24 Q And at the club when Dave would use Meth or you
25 would use Meth, you wouldn't go pick a table and start

Jury Trial Vol. XXVIII - 12/11/14
Lori Maday-Cross Exam/Mr. Machasic (cont.)

1 lining up lines of Meth or putting them on mirrors out
2 in the open on a table, right?

3 A No.

4 Q You would actually go in the back, kind of hide it
5 from whoever was around, right?

6 A Correct.

7 Q So you would use it discreetly?

8 A Correct.

9 Q Now if you're using it a home, you could just go
10 put it on the coffee table and do it that way, right?

11 A Correct.

12 MR. MACHASIC: You've seen Dave holding his
13 fingers -- for the record, I'm holding up both of my
14 hands with all but my thumbs sticking out.

15 BY MR. MACHASIC:

16 Q So the 44 sign?

17 A Correct.

18 Q And that stood for DD, correct?

19 A Correct.

20 Q Devil's Diciples?

21 A Yes.

22 Q Now you said D talked about or Mr. Drozdowski
23 talked about the DDMC a lot, right?

24 A Yes.

25 Q He would discuss what was going on with you, right?

Jury Trial Vol. XXVIII - 12/11/14
Lori Maday-Cross Exam/Mr. Machasic (cont.)

1 A Yes.

2 Q Okay. And you've been at the club house, right?

3 A Yes.

4 Q You know who several people are, right?

5 A Yes.

6 Q And I think you described it as a dysfunctional
7 club?

8 A Yes.

9 Q Not everybody got along in the Devil's Diciples,
10 did they?

11 A No.

12 Q Okay. It was kind of like a -- for lack of a
13 better term, what you would think of like a middle
14 school lunch room.

15 You had one table with this group, another table
16 with this group.

17 And you can't sit at my table and I'm not sitting
18 at your table?

19 A Yes. Sounds right.

20 Q That's about right?

21 A Uh-huh.

22 Q That's the best analogy?

23 A That's all right.

24 Q These club members, this was not one cohesive club
25 doing all the same thing all in lock step.

Jury Trial Vol. XXVIII - 12/11/14
Lori Maday-Cross Exam/Mr. Machasic (cont.)

1 These were different groups in that club, different
2 people doing different things?

3 A That was my understanding, yes.

4 Q And D even more.

5 I mean, he would -- he just did whatever he wanted,
6 right?

7 A Yes.

8 Q Okay. Doesn't listen to anybody, right?

9 A No.

10 Q Takes his -- I think it's the expression keeps his
11 own counsel?

12 A Yes.

13 Q Now at a certain point -- how long were you on
14 Maurice, by the way? I'm sorry.

15 A It was shortly after January 2012 that we moved
16 out.

17 Q Okay. And when you moved out, you moved in with
18 Dave's sister, right?

19 A Correct.

20 Q And you were there for a few months, right?

21 A Correct.

22 Q Okay. And the plan was to actually -- for you and
23 Dave to move closer to -- is it Auburn Hills?

24 A Yes.

25 Q Because at the time you were working at Chrysler,

Jury Trial Vol. XXVIII - 12/11/14
Lori Maday-Cross Exam/Mr. Machasic (cont.)

1 right?

2 A Yes.

3 Q So the plan was to kind of leave the east side and
4 go -- you and Dave go find a place in Auburn Hills
5 somewhere?

6 A Yes.

7 Q Because that was closer to your work, right?

8 A Correct.

9 Q And his sister lives -- is it New Baltimore?

10 A Correct.

11 Q That's a long drive for you to get to work?

12 A Yes.

13 Q And that's what really mattered, because you were
14 the one providing money for the couple, right?

15 A Correct.

16 Q You now at some point -- let's go back to Maurice
17 and the search warrant.

18 The FBI came in with the search warrant. Yes?

19 A Correct.

20 Q They presented it to you and they seized several
21 items, right?

22 A Yes.

23 Q They went in the shed and out of the shed they
24 seized the motorcycle that you had purchased?

25 A Yes.

Jury Trial Vol. XXVIII - 12/11/14
Lori Maday-Cross Exam/Mr. Machasic (cont.)

1 Q And a bunch of other stuff, right?

2 Boxes, mirrors, ammunition, all of that stuff?

3 A Yes.

4 Q That was a pretty unpleasant experience for you, I
5 imagine?

6 A Yes.

7 Q They didn't come in and knock and say we have a
8 search warrant, we'd like to come in. Did they?

9 A No.

10 Q They actually bust in and -- I mean it's pretty
11 intimidating when the FBI comes in the early morning
12 hours and just starts you sit here, you sit here.

13 Here's what we're here for. Right?

14 A Yes.

15 Q Okay. Now that wasn't your last contact with the
16 FBI in that respect, was it?

17 A No.

18 Q They came to your work, correct?

19 A Correct.

20 Q Okay. And they came to your work for what purpose?

21 A To talk with me.

22 Q To talk with?

23 And that, that scared you a bit, didn't it --

24 A Absolutely.

25 Q -- when they showed up at your place of work.

Jury Trial Vol. XXVIII - 12/11/14
Lori Maday-Cross Exam/Mr. Machasic (cont.)

1 A Absolutely.

2 Q They were demanding information, correct?

3 A Absolutely.

4 Q And that scared you when the FBI shows up at your
5 work with all of your colleagues around?

6 A Yes.

7 Q And then, again, you moved into an apartment later
8 on, right?

9 A Yes.

10 Q In Berkley?

11 A That's current. I was in Lake Orion before that.

12 Q Lake Orion. Okay.

13 They show up at your apartment. And, again, they
14 come in and they do another search warrant, right?

15 A That was in Berkley, yes.

16 Q That was in Berkley.

17 And, again, it scared you yet again?

18 A Absolutely.

19 Q Okay. In fact, because of this, you started having
20 anxiety attacks, right?

21 A I was getting anxiety since -- anxiety attacks
22 since January 2012.

23 Q Since, since they first executed the search
24 warrant?

25 A Yes.

Jury Trial Vol. XXVIII - 12/11/14
Lori Maday-Cross Exam/Mr. Machasic (cont.)

1 Q In fact, even hearing a knock on a neighbor's door
2 would cause you to be jumpy, right?

3 A Yes.

4 Q After the FBI comes to Maurice, comes to your work,
5 comes to your new apartment, you actually had to seek
6 counseling to help you with that anxiety, right?

7 A Yes.

8 Q Do you need a drink of water?

9 A No. I'm all right.

10 Q Now let's talk about "Property patches".

11 A Okay.

12 Q You didn't wear a "Property Of patch", did you?

13 A No.

14 Q And nobody forced a "Property patch" on you?

15 A No.

16 Q It was optional for you to wear that "Property Of
17 patch", right?

18 A Yeah.

19 Q Your choice was I'm not wearing a "Property Of
20 patch"?

21 A Correct.

22 Q Let me take you around 2011 around Thanksgiving.

23 About Thanksgiving 2011, do you recall is that when
24 Dave had his one year anniversary --

25 A Yes.

Jury Trial Vol. XXVIII - 12/11/14
Lori Maday-Cross Exam/Mr. Machasic (cont.)

1 Q -- with the DDMC?

2 A Yes.

3 Q It's about 2011 Thanksgiving, he got a pie in the
4 face or a cake?

5 A It was a pie.

6 Q They put a pie in your face. That's how they
7 celebrate your one year birthday, I guess, in the DDMC?

8 A That was often a ritual is putting a cake in your
9 face.

10 Q Okay. The person who's getting a cake or pie in
11 the face, like, you know that's coming, right?

12 A Yeah.

13 Q Okay. And it's kind of a joke, every about laughs
14 about it?

15 A Uh-huh. Correct.

16 Q Now part of what the FBI seized was your camera,
17 correct?

18 A Yes.

19 Q Took your camera.

20 You had a lot of photographs on it, right?

21 A Yes.

22 MR. MACHASIC: And I'm going to -- if I may
23 approach the witness, Your Honor?

24 THE COURT: Yes, sir.

25

Jury Trial Vol. XXVIII - 12/11/14
Lori Maday-Cross Exam/Mr. Machasic (cont.)

1 BY MR. MACHASIC:

2 Q I'm going to ask you if you recognize one of these
3 things that was on your camera.

4 (After a short delay, the
5 proceedings continued)

6 A I can't be certain at this time.

7 Q You can't be certain. That's okay.

8 MR. MACHASIC: May I have one moment, Your
9 Honor?

10 THE COURT: You may.

11 (A discussion was held off the record)

12 MR. MACHASIC: Your Honor, without objection,
13 I'm simply going to move for Defense Proposed Exhibit
14 13.

15 MR. STRAUS: No objection, Your Honor.

16 THE COURT: It's identified as?

17 MR. MACHASIC: This is a photograph that
18 was --

19 THE COURT: A photograph. That's fine.
20 Photograph Defense 13, without objection, received.
21 Go ahead and deal with it then.

22 MR. MACHASIC: I think I'd like to publish
23 Defense Exhibit 13.

24 BY MR. MACHASIC:

25 Q Ms. Maday, can you identify what it is?

Jury Trial Vol. XXVIII - 12/11/14
Lori Maday-Cross Exam/Mr. Machasic (cont.)

1 A It looks like maybe a back of a shirt.

2 Q And are Devil's Diciples listed on there?

3 A Yes.

4 Q As being supporters of the Thunder Roads Support
5 Our Troops?

6 A Yes.

7 Q That's 2011.

8 A Uh-huh.

9 Q Okay. Nearly at the end, Ms. Maday.

10 The bolt that the government showed you, that
11 little bolt?

12 A Yes.

13 Q That had Meth residue on it, right?

14 A Correct.

15 Q And you said that Dave received that when he took a
16 trip out to California?

17 A Yes.

18 Q So you don't know how the Meth residue got in
19 there, just he didn't have a bolt when he went to
20 California, right?

21 A Correct.

22 Q Comes back to Michigan after going out and partying
23 in California?

24 A Uh-huh.

25 Q By the way, you were working at this time?

Jury Trial Vol. XXVIII - 12/11/14
Lori Maday-Cross Exam/Mr. Machasic (cont.)

1 A Yes.

2 Q So you're going to work and he's out in California
3 partying?

4 A Yes.

5 Q Then he comes back and he's got a bolt.

6 And it's got the remanence of Meth inside of it,
7 right?

8 A Correct.

9 Q The photographs that the government showed you of D
10 holding two sidearms with "Cracker"?

11 A Yes.

12 Q Do you recall those photos?

13 A Yes.

14 Q Do you recall taking them?

15 A Yes.

16 Q And this was at Clem's Poorhouse, right?

17 A Yes.

18 Q And at the time was "Lurch" managing it?

19 A Yes.

20 Q "Lurch" kept -- if you know, "Lurch" kept sidearms
21 in the back office?

22 A He kept what?

23 Q Firearms, guns, in the back office?

24 A I can't be certain.

25 Q Okay. Do you know if either of those sidearms

Jury Trial Vol. XXVIII - 12/11/14
Lori Maday-Cross Exam/Mr. Machasic (cont.)

1 belonged to "Lurch"?

2 A I've no idea.

3 Q Okay. Now let's -- one last thing.

4 That is, you gave -- earlier, you gave a sworn
5 statement in this case, correct?

6 A Yes.

7 Q An affidavit.

8 You signed an affidavit?

9 A Yes.

10 Q And in that affidavit, you stated that you didn't
11 think that David Drozdowski posed a danger to the
12 community. Correct?

13 A Correct.

14 Q And then after that, the government filed a
15 criminal complaint, right?

16 A Yes.

17 Q Okay. And in that complaint, they charged you with
18 conspiracy to manufacture and distribute
19 methamphetamine?

20 A Yes.

21 Q And this was actually shortly after you signed that
22 affidavit, right?

23 Matter of a couple months, maybe?

24 A Yes.

25 Q Okay. Now it was explained to you that that was a

Jury Trial Vol. XXVIII - 12/11/14
Lori Maday-Cross Exam/Mr. Machasic (cont.)

1 light felony?

2 A Yes.

3 Q And that perhaps based on amounts, it could be a
4 mandatory minimum of 10 years?

5 A Yes.

6 Q You went in and -- by the way, this is after the
7 FBI had already come in and raided you, right?

8 A I can't remember what happened first.

9 Q Okay. It was after the Maurice search warrant
10 execution, right?

11 A Oh, yes.

12 Q Was it after they came to your work?

13 A Yes.

14 Q Okay. So they had already come to you twice,
15 right?

16 A I, I actually had seen them three times.

17 Q At the point that they filed the complaint?

18 A Yes.

19 Q Okay. Now after they, after they do this, after
20 they file this complaint, you then start talking to them
21 in terms of trying to resolve everything, right?

22 A Yes.

23 Q And you had the very good assistance of counsel in
24 helping you to do that, right?

25 A Yes.

Jury Trial Vol. XXVIII - 12/11/14
Lori Maday-Cross Exam/Mr. Machasic (cont.)

1 Q And in terms of doing that, you are now simply
2 charged with a misdemeanor, right?

3 I believe that's what I heard on direct.

4 A Yes.

5 Q It's your hope and expectation that you will
6 receive probation as part of this, right?

7 A Yes.

8 Q You also signed a cooperation agreement with the
9 government?

10 A Yes.

11 Q Okay. And your lawyer explained to you that that
12 cooperation agreement obligated you to come to court
13 when the government asks to you come to court, right?

14 A Yes.

15 Q And to testify on behalf of the government, right?

16 A Yes.

17 Q And, so, today, you come here because you're
18 required to be here, right?

19 A Yes.

20 Q This is not a pleasant experience for you.

21 A None of this has been, no.

22 Q And your lawyer explained to you that in terms of
23 the cooperation agreement, this is pretty standard
24 language, right?

25 This is how the cooperation agreements go?

Jury Trial Vol. XXVIII 12/11/14
Lori Maday-Cross Examination/Mr. Straus

1 A Yes.

2 Q And that in terms of the extent of cooperation and
3 the testimony, it's up to the government to make the
4 determination as to what recommendations they will make,
5 and what, ultimately, they will do when it comes time
6 for sentencing or a plea agreement; anything like that.
7 Right?

8 A Yes.

9 Q Okay.

10 MR. MACHASIC: May I have one moment, please,
11 Your Honor?

12 THE COURT: Yes.

13 (A discussion was held off the record)

14 MR. MACHASIC: Your Honor, thank you. No
15 further questions.

16 THE COURT: Any other cross examination?
17 Any redirect examination?

18 MR. STRAUS: Yes, Your Honor.

19 REDIRECT EXAMINATION

20 BY MR. STRAUS:

21 Q Ms. Maday, you were asked on cross examination --
22 move this around.

23 You were asked on cross examination about
24 counseling.

25 Has your life changed since these arrests, these

Jury Trial Vol. XXVIII 12/11/14
Lori Maday-Cross Examination/Mr. Straus

1 contacts with law enforcement?

2 A Yes.

3 Q Have you turned your life around?

4 A Yes. Yes.

5 Q That one of the reasons you're here as well?

6 A Yes.

7 Q Are you still in love with Dave?

8 A No.

9 Q Now you were -- on cross examination, you were, you
10 were asked a series of questions about an interview that
11 took place at your work.

12 You weren't actually interviewed in front of a
13 whole bunch of people, were you?

14 A No.

15 Q You were taken to, to -- by security to a separate
16 area, correct?

17 A Correct.

18 Q And nobody came bouncing in and announcing their
19 appearance.

20 They went -- the FBI went through security and
21 quietly interviewed you, correct?

22 A Correct.

23 Q And they interviewed you not -- this was after Dave
24 had been arrested on this case, the RICO case, correct?

25 A Correct.

Jury Trial Vol. XXVIII 12/11/14
Lori Maday-Cross Examination/Mr. Straus

1 Q This was, this was an interview about a new matter
2 involving Dave, correct?

3 A Correct.

4 Q And there you talked about two search warrants,
5 correct?

6 MR. MACHASIC: Objection, Your Honor. This is
7 403.

8 THE COURT: I think that the substance will
9 probably be -- whatever it is, will probably be
10 restrained.

11 MR. STRAUS: It will be very restrained, Your
12 Honor.

13 THE COURT: I'm going to take that.

14 I don't know what it is that you're speaking of
15 exactly, but Mr. Straus will be restrained as he said.

16 Go ahead. We're talking about the interaction with
17 her, I think.

18 MR. STRAUS: Yes.

19 BY MR. STRAUS:

20 Q When the FBI came to your apartment, again and
21 searched your house, that was on a new investigative
22 matter involving David and possibly yourself, correct,
23 the second time?

24 A Right. I -- I guess so, yes.

25 Q Okay. And, and just so the jury knows, a bunch of

Jury Trial Vol. XXVIII 12/11/14
Lori Maday-Cross Examination/Mr. Straus

1 letters were taken during that second search, correct?

2 A Correct.

3 Q And those were letters from David to you, correct?

4 A Yes.

5 Q All right. And he had already been charged here in
6 this case, correct?

7 A Charged?

8 Q In the RICO conspiracy already?

9 A Yes.

10 Q And he wasn't -- he wasn't, obviously, living there
11 anymore, was he, with you?

12 A No.

13 Q Now you were also asked some questions about after
14 Meth was produced in the coffee filter, you, Dave, other
15 people consumed the Meth. Correct?

16 A Correct.

17 Q But there were other times that the Meth was bagged
18 up in those little bags.

19 And then later, you and Dave would go to the club
20 house, correct?

21 A It didn't happen all the time.

22 Q Sometimes.

23 A Uh-huh.

24 Q You were also -- by the way, your motorcycle;
25 that's named Rose?

Jury Trial Vol. XXVIII 12/11/14
Lori Maday-Cross Examination/Mr. Straus

1 A Yes.

2 Q Does Rose have Devil's Diciples emblems and
3 stickers on it?

4 A I couldn't remember at this time. It did at once.

5 Q Okay. But you don't have it in your custody
6 anymore?

7 A No.

8 Q That wasn't your real -- that really wasn't your
9 motorcycle.

10 A No.

11 Q Was this somewhat part of the mooching?

12 A Yes.

13 Q And you're also asked some questions about the
14 Devil's Diciples being dysfunctional.

15 Is it -- was your understanding women were treated
16 differently then men within the Devil's Diciples?

17 A Yes.

18 Q And was there an equal --

19 MS. STOUT: I'm going to object to relevance
20 of how men treated women. Thank you, Your Honor.

21 THE COURT: It's related to cross examination.
22 And the objection's overruled.

23 MR. MACHASIC: Actually, Your Honor, I'm
24 sorry, but I join Ms. Stout's objection, Judge.

25 I would indicate that I never went into women's

Jury Trial Vol. XXVIII 12/11/14
Lori Maday-Cross Examination/Mr. Straus

1 roles in the Devil's Diciples during my cross
2 examination.

3 THE COURT: The concept was dysfunctional
4 relationships. That's reasonable as far as I'm
5 concerned.

6 Go ahead.

7 MR. STRAUS: I'm sorry, Your Honor. It was
8 foundational.

9 THE COURT: Go ahead.

10 BY MR. STRAUS:

11 Q Was there an equal distribution of information
12 between women and men within the Devil's Diciples
13 environment?

14 In other words, were women privy to everything men
15 were?

16 A No.

17 Q In fact, Devil's Diciples kept a lot of information
18 from their women?

19 A Absolutely.

20 Q So when you talk about dysfunctional --

21 MS. STOUT: I'm going to object to Devil's
22 Diciples. She certainly doesn't know every Devil's
23 Diciples. It's quite a broad statement.

24 THE COURT: Overruled.

25

Jury Trial Vol. XXVIII 12/11/14
Lori Maday-Cross Examination/Mr. Straus

1 BY MR. STRAUS:

2 Q So when you were asked questions and you agreed
3 with the conclusion that there was some dysfunctionality
4 within the Devil's Diciples, was that based solely on
5 your own observations or was that from input from David?

6 A It was mainly my own.

7 But based on some input that I -- conversations,
8 yes.

9 Q Okay. Dave's view of the world, correct?

10 A Yes.

11 Q Finally, you were asked -- you signed an affidavit
12 during the -- after Dave was arrested, you signed an
13 affidavit in support of some kind of motion before this
14 court?

15 Do you remember that testimony?

16 A Yes.

17 Q And you signed an affidavit that said you did not,
18 at that time, believe he was a danger to the community
19 or risk of flight?

20 A Correct.

21 Q Has that opinion changed?

22 A Somewhat, yes.

23 Q All right.

24 MR. STRAUS: No further questions.

25 THE COURT: All right. You may step down and

Jury Trial Vol. XXVIII 12/11/14
Chris Adams-Direct Examination/Mr. Straus

1 be excused.

2 (The witness was excused
3 at 9:50 a.m.)

4 THE COURT: Next witness will be whom?

5 MR. STRAUS: Your Honor, at this time, the
6 United States would call Chris Adams.

7 THE COURT: Relevant to what counts? Relative
8 to any particular counts?

9 MR. STRAUS: Count Two, Your Honor, the
10 gambling conspiracy.

11 (Whereupon the witness was then sworn)

12 **DIRECT EXAMINATION**

13 BY MR. STRAUS:

14 Q Sir, could you state your name and spell your last
15 name for the record, please.

16 A James Christian Adams a-d-a-m-s.

17 Q Sir, before we begin -- and the record should so
18 reflect, I think I have some original notes of yours.

19 Did you bring your file?

20 A I did.

21 Q All right. Sir, where are you employed?

22 A Michigan Gambling Control Board for the State of
23 Michigan.

24 Q And in what capacity?

25 A Gaming Lab Manager.

Jury Trial Vol. XXVIII 12/11/14
Chris Adams-Direct Examination/Mr. Straus

1 Q What does a Gambling Lab Manager do?

2 A I supervise a section that evaluates and certifies
3 all electronic gaming devices, that would include slot
4 machines and video pokers and, also, the slot accounting
5 systems they keep track of game performance.

6 Q Okay. And how long have you been doing that?

7 A In February, it will be 10 years.

8 Q 2005?

9 A Yeah.

10 Q And before you were employed with the Michigan
11 Gambling Control Board -- is that MGCB for short?

12 A Yes.

13 Q Were you employed in any other capacity within the
14 gambling slot machine world?

15 A Yes. I worked for a manufacturer of video poker
16 and slot machines for seven years.

17 Q Okay. And what was -- what types of jobs did you
18 do with that outfit?

19 A Started as a manufacturing engineer and operations
20 manager. So I was in charge of production,
21 installation, customer service, inventory.

22 Q Okay. And what is your educational background?

23 A Mechanical engineer.

24 Q Okay. In terms of your former job and your current
25 job, does it involve aspects of that electrical

Jury Trial Vol. XXVIII 12/11/14
Chris Adams-Direct Examination/Mr. Straus

1 engineering type of background, mechanical engineering
2 or both?

3 A A little bit of both, but the slot machines
4 nowadays are primarily electronic.

5 Q Okay. And have you, have you, have you had any
6 training, specialized training in slot machines and
7 their use and their functionality?

8 A Yes.

9 I've attended training on illegal gaming devices
10 and then we also get trained by the manufacturers of the
11 slot machines and video poker games.

12 Q Did you receive any training when you were in the
13 private sector?

14 A Just on the job.

15 Q On the job.

16 So would it be fair to say you're fairly familiar
17 with the insides of slot machines?

18 A Yes, that would be fair.

19 Q Did there come a point in time where you were asked
20 to review some slot machines that had been seized by the
21 Federal Bureau of Investigation?

22 A Yes.

23 Q And when, approximately, was that?

24 A It was about seven years ago.

25 Q Seven years ago?

Jury Trial Vol. XXVIII 12/11/14
Chris Adams-Direct Examination/Mr. Straus

1 A Yeah.

2 Q And was that at or around the time they had, to
3 your knowledge, been seized in search warrants?

4 A Yes.

5 Q All right.

6 Let me direct your attention to -- let me go
7 through some -- I'm going to name some slot machines and
8 their serials.

9 If it will assist you, please refer to your notes.
10 But did you -- during that request, did you examine a
11 Roaring 20's Slot Machine, serial number S970519159,
12 that was manufactured by Balley?

13 A Yes.

14 MR. STRAUS: And for the benefit of the
15 record, Your Honor, that would be the machine, just to
16 benefit the jury, also, depicted in the photograph that
17 is represented by Government Exhibit 3-1.

18 BY MR. STRAUS:

19 Q Secondly, did you examine an All American Slot
20 Machine, serial number S63U3WT10, manufactured by
21 Balley?

22 And for purposes of the record, this would be
23 represent -- the machine represented in the photograph
24 that has been marked as Government Exhibit 3-2.

25

Jury Trial Vol. XXVIII 12/11/14
Chris Adams-Direct Examination/Mr. Straus

1 A Yes.

2 Q Did you also review, examine a casino poker
3 machine, serial number 800910, manufactured by Cal
4 Omega?

5 And for benefit of the record, this is the machine
6 that's represented in the photograph that has been
7 previously admitted as Government Exhibit 3-3?

8 A Yes.

9 Q Did you examine a red, white and blue slot machine,
10 serial number S970316561, that was manufactured by
11 Balley.

12 And for the benefit of the record, which is a
13 machine that's depicted in the photograph that's
14 represented by Government Exhibit 3-4?

15 A Yes.

16 Q Did you also examine a Draw Poker Machine, serial
17 number 2977, manufactured by United Gaming that is
18 represented in a photograph that is marked Government's
19 Exhibit 3-5?

20 A Yes.

21 Q Did you examine a Double Fortune Slot Machine,
22 serial number 95796, that was manufactured by
23 University, that is represented by a photograph that has
24 been marked as Government Exhibit 3-6?

25 A Yes.

Jury Trial Vol. XXVIII 12/11/14
Chris Adams-Direct Examination/Mr. Straus

1 Q Did you also examine a Malibu Double Slot Machine
2 manufactured by Sigma, which is represented by a
3 photograph that has been marked Government Exhibit 3-7?

4 A Yes.

5 Q Did you also examine a High Roller Slot Machine,
6 manufactured by Sigma, which is represented by
7 photographs that are represented in Government Exhibits
8 3-8, 3-9 and 3-10?

9 A Yes.

10 Q The name's are getting better.

11 Did you examine a Blazing 7's Slot Machine, serial
12 number S970316552, that was manufactured by Balley,
13 represented by a photograph that has been previously
14 marked as Government Exhibit 3-11?

15 A Yes.

16 Q Did you also examine a Second Chance Seven Slot
17 Machine, serial number S950100082, that was manufactured
18 by Balley, represented by a photograph which has been
19 previously marked and admitted as Exhibit 3-12?

20 A Yes.

21 Q Did you also examine a Blazing 7's Slot Machine
22 that was manufactured by Balley, is represented by a
23 photograph which has been marked as Government Exhibit
24 3-13?

25 A Yes.

Jury Trial Vol. XXVIII 12/11/14
Chris Adams-Direct Examination/Mr. Straus

1 Q How about a Stars and Bars Slot Machine, serial
2 number S63L3MT-10 which is represented by a photograph
3 that has been previously marked and admitted as
4 Government Exhibit 3-14?

5 A Yes.

6 Q Did you examine a wild Rose Slot Machine, serial
7 number S930805443, that was manufactured by Balley, that
8 is represented by a photograph marked Government Exhibit
9 3-15?

10 A Yes.

11 Q Did you also examine another Wild Rose Slot
12 Machine, serial number S960403714, manufactured by
13 Balley, that is represented by a photograph --
14 photograph that's been marked Proposed Government 3-16
15 that has not been admitted at this point?

16 A Yes.

17 Q Have you also reviewed a Panic Saurus Slot Machine
18 that was manufactured by Yamasa Company.

19 And for benefit of the Court Reporter, I'll spell
20 Yamasa. Spelled y-a-m-a-s-a.

21 That is represented by a photograph that's been
22 marked 3-20. It's a Proposed Government Exhibit?

23 A Yes.

24 Q Did you --

25 A Yes, I examined that.

Jury Trial Vol. XXVIII 12/11/14
Chris Adams-Direct Examination/Mr. Straus

1 Q Okay. By my arithmetic, that's about 15 machines.

2 And did you go through all those machines?

3 A Yeah, we looked through all those machines.

4 Q You and someone else?

5 A Yeah. Aaron Pongrass, he's an employee for the
6 Gaming Control Board Lab.

7 Q What kind of examination did you do with these
8 machines?

9 A We recorded the manufactured date, the serial
10 number.

11 Where available, we wrote down the software version
12 numbers from the board that runs the slot machines.

13 Q Okay. And did you also make any observations as to
14 whether or not these machines would accept U.S.
15 currency?

16 A We did and they did.

17 Q And did you find any indication of that?

18 A Yeah.

19 The games were set up to accept U.S. quarters by
20 way of a coin comparator. So there was a quarter in the
21 slot.

22 Q What's a "coin comparator"? Is that something that
23 holds a quarter?

24 A Well, it does hold a quarter, but it holds a
25 quarter to compare to it what is inserted in the slot

Jury Trial Vol. XXVIII 12/11/14
Chris Adams-Direct Examination/Mr. Straus

1 machine.

2 So if you insert a nickel, it doesn't accept it as
3 a quarter, it goes to the tray.

4 But if you insert a U.S. quarter, it will go into
5 the hopper and accept it as a credit on the game.

6 Q You said a tray.

7 Were these games -- based on your examination, were
8 you able to determine whether or not they paid out?

9 A There was -- another thing that we checked was,
10 where available, the game records accounting meters.
11 And for a variety of things.

12 And there was meter activity on those games, so
13 they had been used.

14 Q Okay. And you mentioned "dates."

15 How do you determine when a machine is made?

16 A We use the serial number tag that was riveted to
17 the side of the games from the manufacture.

18 Q Did you compare it to some kind of database of
19 sorts?

20 A Not the manufacture date.

21 We're able to look up the software version number
22 that was installed on the boards inside the slot
23 machines.

24 Q And did you do that with each and everyone of these
25 machines or --

Jury Trial Vol. XXVIII 12/11/14
Chris Adams-Direct Examination/Mr. Straus

1 A Yeah, I did.

2 Q And were those machines -- based on that, were you
3 able to determine whether or not these machines, as of
4 the date of your examination, not today, were less than
5 25 years old?

6 A Yeah.

7 When we first looked at these, none of them were
8 older than 25 years old.

9 Q All right.

10 And these -- these lot machines -- just for benefit
11 of the jury, these have the drums and wheels that spin?

12 A Except for the ones that were the video poker, yes.

13 Q And as -- were you familiar with these games?

14 Had you seen these types of games before?

15 A Yeah. They were the same type of games used in the
16 casinos here in Detroit.

17 Q Of all those machines, were there any that had any
18 evidence that they had actually been used in casinos?

19 A Yes. There were some seals that were on the boards
20 that sealed the e-prompt chips into the board.

21 There was at least one. I'd have to refer to my
22 notes, it might have been two, that had New Jersey
23 gaming seals on it. So they had actually been in New
24 Jersey casinos.

25 And there was at least one that had a Soaring Eagle

Jury Trial Vol. XXVIII 12/11/14
Chris Adams-Cross Examination/Ms. Maceroni

1 tag seal on it to seal those chips into the board.

2 Q Did you recognize any of your outfit's sealing
3 designations?

4 A No. There were no MGCB seals on there.

5 Q Okay. Based on that review, do you have an opinion
6 as to whether or not, as designed, these, these had --
7 these were designed to be game of chance?

8 A Yes.

9 Q All right.

10 MR. STRAUS: I've no further questions, Your
11 Honor.

12 THE COURT: Cross examination?

13 MS. MACERONI: Thank you, Judge.

14 CROSS EXAMINATION

15 BY MS. MACERONI:

16 Q Good morning, Mr. Adam. (sic)

17 A Good morning.

18 Q You testified that your examination of the
19 machines -- you actually took the machines a part?

20 A We did not disassemble them.

21 We did take the P.C. board out that runs the
22 E-prompt that runs the software.

23 Q Okay. Now for us computer illiterates, can you go
24 through that step by step?

25 A Okay. Sure.

Jury Trial Vol. XXVIII 12/11/14
Chris Adams-Cross Examination/Ms. Maceroni

1 There's a printed circuit board that is in the game
2 and it has software on it that runs, that runs the slot
3 machine.

4 Q The software that can be updated or changed through
5 the course of the machine?

6 A No. The software that is on those boards cannot be
7 updated externally through the game.

8 They're burned onto -- the software's burned onto a
9 chip.

10 That's actually why the gaming agents will put the
11 tape in.

12 Once it's sealed in, there will be evidence if it's
13 been taken out and updated.

14 Q And so that was how you were able to determine the
15 age of some of these machines?

16 A The age was from the manufacture date on the serial
17 number tag.

18 Q Okay. And you prepared a report after your
19 examination of these machines; is that correct?

20 A Correct.

21 Q All right.

22 Do you have a copy of that report up there?

23 A I don't have the actual report with me right now.

24 Q If I ask you a question and you don't recall, just
25 let me know and we can get you one. Okay?

Jury Trial Vol. XXVIII 12/11/14
Chris Adams-Cross Examination/Ms. Maceroni

1 A Okay.

2 Q You also -- my understanding is, you had some
3 handwritten notes that we were given?

4 A Yeah. Those I have.

5 Q All right. Good.

6 Now in going through your report, in the paragraph
7 that's been labeled G, there's no indication of what
8 year that machine was made. Do you recall that?

9 That was the Malibu Double Slot Machine
10 manufactured by Sigma?

11 A Correct.

12 Q So you don't have any manufacture date for that
13 Malibu Double Slot Machine?

14 A That's correct.

15 Q All of these machines, sir, were 25-cent machines.
16 Yes?

17 A Yes.

18 Q So they basically played quarters?

19 A Correct.

20 Q So for the Malibu Double Slot Machine, you don't
21 have a manufacturer date.

22 Also, the High Roller Slot Machine manufactured by
23 Sigma, you don't have a manufacturer date down there as
24 well, do you?

25 A No. It was not on a serial number tag, no.

Jury Trial Vol. XXVIII 12/11/14
Chris Adams-Cross Examination/Ms. Maceroni

1 Q And, actually, those -- there were three machines
2 there identified as pictures from the Government 3-8,
3 3-9 and 3-10. Yes?

4 A I don't have those pictures or numbers, but that
5 sounds right.

6 Q Sounds right?

7 Do you want to see a copy of your report?

8 A No. That's okay.

9 Q You would agree with that?

10 A Yes.

11 Q There's no manufacture date on those?

12 A Right.

13 Q And then on paragraph zero, the Panic Saurus Slot
14 Machine which was manufactured by Yamasa Company.

15 Do you recall that machine?

16 A I do.

17 Q And, actually, the wording on that machine was
18 agent and you couldn't interpret what it said, correct?

19 A Correct.

20 Q So there no manufactured date on that machine?

21 A I don't recall on that one.

22 Q Would you like to see a copy of your report?

23 A Sure.

24 MR. STRAUS: Can I see that serial number tag?

25 MS. MACERONI: Sure.

Jury Trial Vol. XXVIII 12/11/14
Chris Adams-Cross Examination/Ms. Maceroni

1 (After a short delay, the
2 proceedings continued)

3 MS. MACERONI: You can read whatever you want
4 in this compiled report, but what I'm referring is to
5 down there.

6 (After a short delay, the
7 proceedings continued)

8 THE WITNESS: Right.

9 We didn't record a manufacturer date on that, so it
10 wasn't, it wasn't on the machine.

11 BY MS. MACERONI:

12 Q So you couldn't establish the dates of three
13 machines that did not have a manufactured date, correct?

14 A Correct.

15 Q Now, sir, you, you don't have any law enforcement
16 background; is that a fair statement?

17 A That's fair.

18 Q You've got a mechanical engineering background and
19 you've, you've worked in the industry examining machines
20 for law enforcement personnel. Correct?

21 A We've examined games prior to their use in the
22 Detroit casino market, but in our current -- in my
23 current role.

24 Q So it's for law enforcement as well as for the
25 casinos?

Jury Trial Vol. XXVIII 12/11/14
Chris Adams-Cross Examination/Ms. Maceroni

1 A It for our gaming regulators, which is like a law
2 enforcement agency, but not.

3 Q Okay. And in the course of that occupation, you
4 know that any machine that pays out currency in Michigan
5 has to be older then 25 years in order be legal if it's
6 not in a casino?

7 A The Michigan Compiled Law, as I understand it, is
8 that you cannot possess a slot machine less then 25
9 years old.

10 Q So are you agreeing with what I said?

11 A Well, I think your statement had something to do
12 with paying out currency.

13 Q Yes.

14 A I don't believe that's what the Michigan Compiled
15 Laws states.

16 Q So whether or not the slot machine pays out money
17 or pays out tokens, in order for a private individual to
18 have it, it has to be more than 25 years old?

19 A Correct. That's my understanding.

20 Q That's your understanding, okay.

21 But in any event, 25 years is the point of
22 consideration in determining the legalities of private
23 ownership?

24 A Correct.

25 Q Are you aware, sir, that different states have

Jury Trial Vol. XXVIII 12/11/14
Chris Adams-Cross Examination/Ms. Maceroni

1 different laws concerning that 25 year mark?

2 A I am.

3 Q In fact, in Ohio, there is no such 25 year
4 designation, correct?

5 A I'm not aware of that, but I'm not surprised by
6 that.

7 Q Okay. Because different -- there's no one uniform
8 standard in the industry, correct?

9 A That would all vary based on individual state law,
10 correct.

11 Q And you're aware of a companies or shops, such as
12 like Games People Play, that sell these machines to the
13 general public?

14 A Yes.

15 Q And are you aware of any type of state regulation
16 of those types of stores that sell those machines to the
17 public?

18 A I'm not aware.

19 Q Okay.

20 A Just to clarify, the Michigan Gaming Controlled
21 Board doesn't regulate what is sold from private stores
22 to private owners.

23 Q Okay. So there's no state regulation that you know
24 of?

25 A Regarding the sale, not that I'm aware of.

Jury Trial Vol. XXVIII 12/11/14
Chris Adams-Cross Examination/Ms. Maceroni

1 Q Okay.

2 So these individuals who own these stores, like
3 Games People Play, they're not required to obtain some
4 sort of license from the state in order to sell these,
5 these machines. Correct?

6 A Correct, not from the state.

7 There is a federal requirement called the Johnson
8 Act that people who possess or who will be distributing
9 slot machines need to be registered with the Department
10 of Justice.

11 Q Are you aware of these stores having any type of
12 spot inspections by any federal agents or state agents
13 to see what they're selling?

14 A I'm not aware.

15 Q And, in fact, isn't it true, sir, that an owner of
16 one of these shops could go to a casino that was selling
17 some machines and purchase those machines?

18 A I'm sorry. Could you repeat that?

19 Q Sure.

20 If you, you own a store that sells these types of
21 machines for entertainment, like Games People Play, they
22 could go to a casino who is selling older machines and
23 purchase them, yes?

24 A Yes, kind of.

25 The casinos can only deal with licensed

Jury Trial Vol. XXVIII 12/11/14
Chris Adams-Cross Examination/Ms. Maceroni

1 distributors.

2 Q Okay. So like you're talking about the Johnson Act
3 before?

4 A Correct.

5 Q All right.

6 So they could -- but a person who owns a store,
7 like Games People Play, can be registered under that
8 federal law, correct?

9 A I believe so, yes.

10 Q Okay. And just so I understand this 25 year mark,
11 you were looking at these machines in 2007, yes?

12 A Yes.

13 Q Okay. So if my math is correct, if these machines
14 had been made or had been manufactured in 1980, they
15 would have been legal to have been in use by a private
16 individual. Yes?

17 A Correct.

18 Q 1981, there wouldn't have been a problem, correct?

19 A Correct.

20 Q 1982, though, that's the cut off mark. Yes?

21 A For 2007, yes.

22 Q Okay. And if you're a private citizen walking into
23 a store, such as Games People Play, would you agree with
24 me that it's incumbent on the owner of that store to let
25 the customers know whether or not what they're buying is

Jury Trial Vol. XXVIII 12/11/2014
Chris Adams-Redirect Exam/Mr. Straus

1 legal?

2 MR. STRAUS: I'll object. I don't know if
3 there's any foundation for that whatsoever.

4 THE COURT: I agree. Asking for a legal
5 opinion basically. Next question.

6 BY MS. MACERONI:

7 Q Have you ever seen anyone or ever gone to Games
8 People Play in the course of your employment?

9 A A store that sells used slot machines?

10 Q Yes.

11 A No.

12 Q Okay. And, again, sir, this 25 year mark is not
13 something that's standard across the country. Correct?
14 It's just in Michigan, as far as you know?

15 A Correct.

16 MS. MACERONI: Thank you. I don't have
17 anything else.

18 THE COURT: Any other cross? Any redirect,
19 Mr. Straus?

20 MR. STRAUS: Yes, Your Honor. Just briefly.

21 REDIRECT EXAMINATION

22 BY MR. STRAUS:

23 Q Mr. Adams, you're not a lawyer, are you?

24 A No.

25 Q You're not a police officer?

Jury Trial Vol. XXVIII 12/11/2014
Chris Adams-Redirect Exam/Mr. Straus

1 A No.

2 Q You're not involved in the enforcement end of the
3 gaming world, are you?

4 A No.

5 Q You were asked a series of questions about this 25
6 year mark.

7 You opined on direct these machines were built
8 within the previous 25 years of your examination, which
9 I think was November of 2007.

10 Yes?

11 A Yes.

12 Q And during the course of your working for -- in the
13 private sector and working for the Gaming Board, have
14 you seen -- have you seen a wide variety of these
15 machines?

16 A Yes.

17 Q Have you seen the progression of the styles of
18 these machines over time?

19 A Yeah.

20 Q And some of these were made by Balley, I take it?

21 A Correct.

22 Q And some were made by some more obscure brands?

23 A Yes.

24 Q And, in your opinion, based on seeing these things,
25 were these -- were the ones that didn't have numbers,

Jury Trial Vol. XXVIII 12/11/2014
Chris Adams-Redirect Exam/Mr. Straus

1 were these the types of machines that were floating
2 around in 1982-1981?

3 MS. MACERONI: Judge, I'd object. Lack of
4 foundation.

5 THE COURT: Overruled.

6 THE WITNESS: I wasn't in the industry in
7 1982, but -- so I couldn't really say what was, what was
8 there.

9 But the circuit board based --

10 MS. MACERONI: Your Honor, based on his
11 answer, I'd make my objection again. He said I wasn't
12 really around in 1982.

13 THE COURT: You don't have to been around in
14 1928 to know what's current in 1982, based upon further
15 experience. Overruled. Go ahead.

16 BY MR. STRAUS:

17 Q You were saying something about the circuitry, I
18 take it?

19 A Electronically run slot machines and video poker
20 games are, are pretty recent.

21 Early '80's to mid 80's is when, you know, they
22 started growing in use.

23 Q Okay. And based on your review of the circuitry,
24 the -- I guess it would be the solid state circuitry of
25 the ones that didn't have hard manufacturing dates on

Jury Trial Vol. XXVIII 12/11/2014
Chris Adams-Redirect Exam/Mr. Straus

1 them, do you have an opinion as to the, the state of
2 technology of the circuitry on those; more recent or
3 older?

4 A It would be tough to say with certainty, but it's
5 in the same type of generation of the rest of the games
6 that were there.

7 Q Okay. Now as you said, you weren't a you weren't a
8 lawyer.

9 When we talk about the -- I think you -- on cross
10 examination, you gave your understanding or impression,
11 even though you're not a lawyer of the law.

12 And I think you said something that to possess one
13 of these things that is less than 25 years old, just to
14 possess, that is illegal, correct?

15 A That is my understanding of MCL, yeah.

16 Q You are not saying that if someone were wished to
17 open a casino and load it up with machines that are
18 older than 25?

19 MR. MACHASIC: Your Honor, I object. This is
20 beyond this witness's knowledge.

21 He's testified he's not a lawyer.

22 The government was objecting to the same line of
23 questioning. I object.

24 MR. STRAUS: Oh, I think the cross examination
25 was pretty robust in this particular area, based on his

Jury Trial Vol. XXVIII 12/11/2014
Chris Adams-Redirect Exam/Mr. Straus

1 limited knowledge.

2 THE COURT: Your objection's overruled.

3 MR. PITTS: I would join in. I would say the
4 question's leading.

5 THE COURT: I've heard enough objections on
6 this. I've heard enough objections.

7 The objection's overruled. The question's within
8 the scope of cross examination.

9 MR. PITTS: Your Honor, my objection is
10 leading, which is separate from their objections.

11 THE COURT: Overruled.

12 BY MR. STRAUS:

13 Q Mr. Adams, it's not your understanding that
14 somebody could open up a casino and load it up with old
15 machines, older then 25, 30 year old that paid out in
16 cash, that that would be a legal operation?

17 MR. PITTS: Objection. Improper hypothetical.

18 THE COURT: Overruled.

19 BY MR. STRAUS:

20 Q Mr. Adams?

21 A Such establishment would not be legal.

22 MR. STRAUS: All right. Thank you. No
23 further questions, Your Honor.

24 (A discussion was held off the record)

25

Jury Trial Vol. XXVIII 12/11/2014
Lillian George-Direct Examination/Ms. Mohsin

1 MR. STRAUS: All right. Thank you.

2 THE COURT: All right. The witness may step
3 down.

4 (Whereupon the witness was excused at 10:19 a.m.)

5 MS. MOHSIN: Your Honor, the government would
6 call Lillian George.

7 (Whereupon the witness was then sworn)

8 **DIRECT EXAMINATION**

9 Q Good morning.

10 A Good morning.

11 Q I'm going ask to you try to keep that microphone at
12 an appropriate distance so you may be heard clearly.

13 Could you please could you please state your full
14 name, spell your last name for the jury.

15 A My name is Lillian George. G-e-o-r-g-e.

16 Q Mrs. George, are you Mrs.?

17 A I am.

18 Q And what do you do for a living?

19 A I'm retired.

20 Q And how long have you been retired?

21 A A little over a year.

22 Q And where are you retired from?

23 A From the Pima County Sheriff's Department. And
24 that's p-i-m-a.

25 Q And when you say the Pima County Sheriff's

Jury Trial Vol. XXVIII 12/11/2014
Lillian George-Direct Examination/Ms. Mohsin

1 Department, what state is that in?

2 A In Arizona.

3 Q How long were you employed by the Pima County
4 Sheriff's Department?

5 A 20 years.

6 Q And, so, approximately, when did you begin as a
7 Pima County Law Enforcement Officer?

8 A In 1994.

9 Q And so I want to direct your attention to your
10 career with the Pima County Sheriff's Department or
11 Sheriff's Department.

12 In what capacity were you initially employed by the
13 Pima County Sheriff's Department as a law enforcement
14 officer?

15 A I was a control deputy.

16 After I got out of the academy. And so it was a
17 fully marked patrol vehicle with the lights and sirens,
18 the uniform, the vest.

19 Q Can you move that microphone just a little bit
20 over. That's perfect.

21 Now after that period of time, did there come a
22 time where you became a detective of any kind?

23 A Yes.

24 Q When did that occur?

25 A I want to say it was right inside about 2001.

Jury Trial Vol. XXVIII 12/11/2014
Lillian George-Direct Examination/Ms. Mohsin

1 Yeah. That sounds about right.

2 Q When you were a detective, what type of cases were
3 you assigned to handle?

4 A Initially, I started in the Community Problems
5 Unit, which was anything from garden hoses to, you know,
6 big fraudulent kind of cases.

7 Then I went into robbery-aggravated assault, where
8 we did bank robberies, aggravated assaults, that kind of
9 thing, aggravated kinds of crimes.

10 Q And did there come a time where -- when you were in
11 the Robbery Assault Unit, that you had occasion to
12 investigate offenses involving acts of violence?

13 A Yes.

14 Q And when you -- did that occur, you know, on any
15 sort with any sort of frequency?

16 A Yes.

17 Q Approximately, to the extent you can approximate,
18 how many types or how many types of cases or number of
19 cases, more appropriately, would you say you were
20 involved with that involved some sort of a violent
21 crime?

22 Would it be dozens? Would it be -- give us a
23 range, if you can.

24 A Pushing up into the hundred.

25 Q Were any of the cases you were involved

Jury Trial Vol. XXVIII 12/11/2014
Lillian George-Direct Examination/Ms. Mohsin

1 investigating, did any of them involve beatings with any
2 sort of dangerous weapons?

3 A Yes.

4 Q Did you ever investigate any cases involving
5 individuals that had been struck with baseball bats?

6 A Yes.

7 Q And did you do that once or on more than one
8 occasion?

9 A More than one occasion.

10 Q Have you ever seen anyone that's had injuries that
11 were consistent with what appeared to be from baseball
12 bats?

13 A Yes.

14 Q All right. Again, had that happened on one
15 occasion or more than one occasion?

16 A More than one occasion.

17 Q Now Pima County Arizona, does that encompass
18 Tucson, Arizona?

19 A It does.

20 Q Does it encompass Phoenix, Arizona?

21 A No.

22 Q What county is Phoenix, Arizona in?

23 A They are in Maricopa County.

24 Q Is that a county that abuts Pima County or is it
25 further away?

Jury Trial Vol. XXVIII 12/11/2014
Lillian George-Direct Examination/Ms. Mohsin

1 A There might be a little section to the very far
2 west by the California border where it does butt up
3 against it.

4 But Pinal County is between the Tucson-Pima County
5 area and the Phoenix Metro area.

6 Q Now Arizona is -- just for the sake of making it
7 very clear.

8 Is Tucson in -- what part of Arizona is Tucson in?

9 A It's in the very southwest portion of the state.
10 The closest to the border would be Nogales, Arizona.

11 Q And where is Phoenix in relation to Tucson?

12 A It's approximately less than 100 miles from Tucson
13 itself.

14 Q Is it north, south, east, west?

15 A It's north.

16 Q I want to direct your attention to your experience.

17 Would it be fair to say you had been a law
18 enforcement officer for, about, 20 years or so?

19 A Yes.

20 Q And during that time, did you ever encounter or
21 have occasion to encounter members of motorcycle clubs
22 in your county?

23 A Yes.

24 Q Can you describe for the jury some of the
25 motorcycle clubs that you have encountered during your

Jury Trial Vol. XXVIII 12/11/2014
Lillian George-Direct Examination/Ms. Mohsin

1 career as a Pima County law enforcement official?

2 A Do you mean as far as the clubs themselves?

3 Q Yes.

4 What clubs have you encountered, become aware of,
5 *et cetera*.

6 A Well, there's, there's a couple of chapters for the
7 Hell's Angels that are in the Tucson area itself in the
8 city limits.

9 And then there's the Devil's Diciples.

10 And there's the -- I want to say -- there's a
11 couple of presence from other clubs that are kind of in
12 the area, but the Mongols are in the area as well.

13 Q When you say "a couple of clubs in the area," are
14 you making any sort of a distinction between national
15 clubs or international clubs and local clubs?

16 A Yes.

17 Q All right.

18 Now, to your knowledge, you indicated there were a
19 couple of chapters of the Hell's Angels in Tucson. Was
20 that what you said?

21 A Yes.

22 Q Are you familiar with whether or not the Hell's
23 Angels had motorcycle club chapters in other places in
24 Arizona?

25 A Yes.

Jury Trial Vol. XXVIII 12/11/2014
Lillian George-Direct Examination/Ms. Mohsin

1 Q Do you have an understanding, approximately, how
2 many chapters or perhaps where those chapters might be
3 located of the Hell's Angels in Arizona?

4 I want to direct your attention, I apologize, to
5 roughly 2003 or the early 2000's.

6 A To my knowledge, back then, there was about eight
7 chapters in the Phoenix Metropolitan Area. So that
8 would include Glendale, Tempe, that kind of stuff.

9 Then there were a couple up on the north rim
10 towards the Grand Canyon going into Nevada, Colorado.
11 One in Flagstaff and one in Bullhead City.

12 I'm pretty sure there was one in Kingman, because,
13 again, that goes towards the California side. And we
14 had two in Tucson.

15 Q So based upon what you've just described, would it
16 be fair to say you were aware of at least 10 chapters of
17 the Hell's Angels in Arizona at the time?

18 A Yes.

19 Q Are you familiar with an individual by the name of
20 Sonny Barger?

21 A Yes.

22 Q Do you know who that individual is or was?

23 A Yes.

24 Q Who was he or is he?

25 A Back in the 70's, he was essentially a number one.

Jury Trial Vol. XXVIII 12/11/2014
Lillian George-Direct Examination/Ms. Mohsin

1 He was the President for the Hell's Angels.

2 And though he claims retirement status, he's
3 still -- at least when I was still working, he still had
4 quite a bit of an influence in that club.

5 Q When you say "that club" you're referring to Hell's
6 Angels?

7 A I am.

8 Q Do you have any understanding where he resides?

9 A Last I heard, he was in Scottsdale, Arizona.

10 Q Now I want to direct your attention to the Devil's
11 Diciples.

12 You had indicated that that was another club that,
13 during the course of your duties as a law enforcement
14 officer in Pima County, you became aware of.

15 How many chapters were you aware of the Devil's
16 Diciples in Arizona?

17 A Just Tucson.

18 Q Just Tucson. So one chapter?

19 A Yes.

20 Q Do you have an understanding of where that
21 Chapter -- withdrawn.

22 Do you have an understanding if there was a club
23 house associated with that chapter?

24 A Yes.

25 Q Do you know where it was?

Jury Trial Vol. XXVIII 12/11/2014
Lillian George-Direct Examination/Ms. Mohsin

1 A Yes. It was on Benson Highway.

2 Q Isn't that in the City of Tucson itself?

3 A No. It's in the county limits.

4 Q All right.

5 Now directing your attention to the Mongols.

6 You said they were another club that had a presence
7 in Arizona; is that correct?

8 A As I recall, yes.

9 Q All right.

10 Were they as significant as the Hell's Angels or to
11 some lesser significance?

12 A Lesser significance.

13 Q Then you indicated that there were other smaller
14 clubs that were, perhaps not national clubs; is that a
15 fair statement?

16 A Yes.

17 Q So of the motorcycle clubs that you were aware of
18 during your years as a Pima County Law Enforcement
19 Officer, who was the most -- who had the most numbers in
20 the State of Arizona?

21 A The Hell's Angels.

22 Q And based upon your experiences, did they have a
23 reputation within the law enforcement community as far
24 as their strength?

25 A Yes.

Jury Trial Vol. XXVIII 12/11/2014
Lillian George-Direct Examination/Ms. Mohsin

1 Q What was that reputation?

2 A Well, specifically, they were known to do a lot of
3 different types of illegal activities.

4 You want me specify?

5 Q I think I'll be more specific.

6 Were they considered to be a preeminent club?

7 A Yes.

8 Q Now -- and was that something that occurred
9 throughout the State of Arizona?

10 In other words, they considered to be the most
11 powerful in Arizona?

12 A Yes.

13 Q I want to direct your attention, now, to April of
14 2003.

15 Were you employed by the Pima County Sheriff's
16 Department in April of 2003?

17 A Yes.

18 Q And were you a detective?

19 A I was.

20 Q And at that time, what was your assignment? What
21 squad were you in?

22 A I was in the Robbery-Aggravated Assault.

23 Q Did there come an occasion where you were called
24 upon to respond to the University Medical Center on,
25 approximately, April 28, 2003?

Jury Trial Vol. XXVIII 12/11/2014
Lillian George-Direct Examination/Ms. Mohsin

1 A Yes. It was about 30 minutes.

2 Yeah. It was about 12:30 in the morning.

3 Q Of the 28th?

4 A Of the 28th.

5 Q So from the night of the 27th into the 28th?

6 A Yes.

7 Q Now if someone's involved in a car accident, is
8 that something that you, as a detective in the Robbery
9 Assault Unit, would be called out to investigate?

10 A No.

11 Q When would you be called out to investigate
12 something?

13 A It would have to be at a level of -- it would have
14 to be for, in that particular instance, an aggravated
15 assault of some sort. Some sort of physical kind of
16 activity occurred.

17 Q So when you were contacted, what was your
18 understanding about what your purpose was in going to
19 the University Medical Center, you know, around the
20 midnight hours of April 27th into the 28th of 2003?

21 A There were four individuals that had been located
22 in a very remote area of the desert and brought in for
23 medical treatment.

24 One was actually medevaced in because he was out of
25 consciousness at the time that they actually located

Jury Trial Vol. XXVIII 12/11/2014
Lillian George-Direct Examination/Ms. Mohsin

1 him.

2 And the injuries that they had received or what had
3 happened out there -- one or two had claimed that there
4 had been a vehicle accident. However, we didn't find a
5 vehicle.

6 Then one of the persons was saying they'd actually
7 been beaten.

8 So that several of us had gone out to the desert
9 area, as far as my squad, to find a location and do
10 follow up.

11 And then myself and another detective had gone to
12 do the hospital follow up and get statements from these
13 victims that were at the hospital.

14 Q So at the time that you were contacted or to go the
15 hospital, had four individuals already been found in the
16 desert?

17 A Yes.

18 Q And did you arrive at the University Medical
19 Center?

20 A I did.

21 Q Is there a Level One Trauma Center at that
22 particular hospital?

23 A Yes.

24 Q And was that the only Level One Trauma Center at
25 the time in the Tucson area?

Jury Trial Vol. XXVIII 12/11/2014
Lillian George-Direct Examination/Ms. Mohsin

1 A Yes.

2 Q When you arrived there, what did you do first?

3 A I got a briefing from the deputy that was there,
4 which was pretty vague.

5 And -- but he, he indicated that there the four
6 that were there were in different locations.

7 The one that had been unconscious had been
8 intubated, so there was no way to get a statement from
9 this individual. And he had still not gained
10 consciousness at the time.

11 So where they were located in the trauma area is
12 where I went to go and speak with these folks.

13 Q So when you arrived, you became aware that one of
14 the four individuals was unconscious and intubated?

15 A Correct.

16 Q So you were not able to speak with him?

17 A Correct.

18 Q Did you have conversations with a doctor about his
19 condition?

20 A I'm sure it was the doctor. But yes, yes.

21 He stated that there was just -- they were trying
22 to keep him alive and figure out what was broken with
23 him. But it appeared that he had received head trauma.

24 Q Now did you have an opportunity to, at some point,
25 to take any photographs of this individual?

Jury Trial Vol. XXVIII 12/11/2014
Lillian George-Direct Examination/Ms. Mohsin

1 A Yes.

2 Q I want to direct your attention, though, to what
3 you did after you were unable to speak with him.

4 By the way, what was his name, the one was
5 intubated?

6 A His name was Ray McCoskey.

7 Q And did he have a nickname you later determined
8 through the investigation?

9 A Yes.

10 Q What was that nickname?

11 A Golf Clubs.

12 Q And so after you attempted to speak with Ray
13 McCoskey or Golf Clubs, what did you do next?

14 A I then began interviewing and speaking with the
15 other victims that were at the Trauma Center.

16 Q And among those victims, who did you try to speak
17 with first?

18 A That was Charlie Riggs or Higgins. He goes by the
19 nickname of Riggs.

20 Q And did you have somewhat of a conversation with
21 him?

22 A Yes.

23 Q Did you have any conversation with any of the other
24 victims?

25 A Yes.

Jury Trial Vol. XXVIII 12/11/2014
Lillian George-Direct Examination/Ms. Mohsin

1 Q Who else?

2 A I spoke with Michael Towner also known as "Two
3 Dogs" and John Fournier, also known as "Johnny Old
4 School".

5 Q And did there come a time where you received
6 information that caused you to take additional
7 investigative steps and I want to direct your attention
8 too the Box Canyon.

9 Did there come a time based on your discussions
10 with them you had to take any or your team had to take
11 any investigative steps in the Box Canyon?

12 A Yes.

13 Q What were those steps?

14 A "Johnny Old School" had advised me that there had
15 actually been five victims.

16 So that if we hadn't found any other victims or
17 they weren't at the hospital, that this person might
18 actually be dead in the canyon.

19 So we had Search and Rescue come out and look and
20 we had helicopters go over and try to find a heat
21 signature, the whole shebang.

22 Q After you had these conversations with these
23 individuals, did there come a time where you took
24 photographs of their injuries?

25 A Yes.

Jury Trial Vol. XXVIII 12/11/2014
Lillian George-Direct Examination/Ms. Mohsin

1 Q And were -- was there any particular reason why you
2 took certain photographs?

3 A Yes.

4 Q What did you observe of each of these victims?

5 And what was the reason why you wanted to take
6 photographs?

7 A What I had observed -- Charlie Riggs or Higgins, is
8 about 6 foot 5.

9 I don't know if you've seen a hospital gurney, but
10 they're not that tall, they're not that long.

11 So his feet are hanging off the side and he has no
12 boots. His feet are bloody and bruised. He's not --
13 he's bloodied up all over. He's not wearing a shirt.

14 And it was, it was just odd, because I knew who he
15 was from my years of experience in patrol.

16 Same thing with "Two Dogs". He didn't have his
17 clothing with him. And he was just as disheveled.

18 From my training and experience, we, we were taught
19 to look for pattern injuries.

20 "Johnny Old School" was telling me that they had
21 been beaten with baseball bats and with brass knuckles
22 and just, just bludgeoned, essentially.

23 And the injuries I took photographs of were
24 indicative to have that type of sort of injury, not with
25 a roll over, unless there were rocks in the car. And

Jury Trial Vol. XXVIII 12/11/2014
Lillian George-Direct Examination/Ms. Mohsin

1 there was no car.

2 Q So I want to direct your attention now to the
3 photographs.

4 Prior to testifying here today, did you have a
5 chance to look at some photographs with exhibit stickers
6 on them?

7 A I did.

8 Q Did you recognize those photographs?

9 A I did.

10 Q Did you recognize those photographs as photographs
11 you had taken?

12 A And the hospital.

13 Q Were they contemporaneous with the injuries as you
14 observed them?

15 A Yes.

16 Q All right?

17 MS. MOHSIN: One moment, please.

18

19 (After a short delay, the
20 proceedings continued)

21

22 MS. MOHSIN: Your Honor, I believe there's no
23 objection.

24 I'm going to move for admission of certain
25 photographs as follows: 11-33, 11-34, 11-36, 11-38,

Jury Trial Vol. XXVIII 12/11/2014
Lillian George-Direct Examination/Ms. Mohsin

1 through 42 inclusive.

2 11-52, 11-54, 11-55, 11-57, 11-58, through 65
3 inclusive.

4 11-67, 11-68, 11-70 through 11-78 inclusive.

5 THE COURT: That's it?

6 MS. MOHSIN: Yes, Your Honor.

7 THE COURT: Without objection? Hearing none,
8 each is received.

9 MS. MOHSIN: Yes, Your Honor.

10 BY MS. MOHSIN:

11 Q Mrs. George, I would like to direct your attention
12 to Government Exhibit 11-33. It's going be put up on
13 this large screen as well as to the screen next to you.
14 To the extent the screen is not sufficiently clear, I
15 would ask you look at the larger one.

16 Do you recognize this photo?

17 A Yes.

18 Q How did you recognize it?

19 A I took it.

20 Q And who's depicted?

21 A "Johnny Old School".

22 Q Is this what he looked like when you first saw him?

23 A Yes.

24 Q Directing your attention to 11-34. Did you take
25 that photo?

Jury Trial Vol. XXVIII 12/11/2014
Lillian George-Direct Examination/Ms. Mohsin

1 A Yes.

2 Q There's a laser pointer next to you. I would ask
3 if you could identify if there's anything about this
4 particular photo that caused you to take it.

5 A Other than the facial injuries that were in the
6 first photograph, right here on his left ribcage area,
7 there is -- they're scratches and abrasions which are
8 consistent with a falling sort of occurrence.

9 But he -- there's also -- and it's hard to see in
10 this photograph. But there is a pattern injury right
11 along here, from what would be consistent with a
12 baseball bat.

13 Q All right. Directing your attention now to 11-35.
14 Is there a reason why you took this particular photo?

15 A Yes. Right. Obviously, there's, there's signs of
16 injury here to his left eye.

17 He informed me later on that his orbital had been
18 cracked.

19 But right along the temple right here, that injury
20 was pretty significant because there was actually a
21 goose egg coming out from that injury, which is
22 consistent with a really hard blow to the head.

23 He stated he'd been in and out of consciousness
24 after the assault against him and then once he'd been
25 thrown down into the ravine.

Jury Trial Vol. XXVIII 12/11/2014
Lillian George-Direct Examination/Ms. Mohsin

1 Q Directing your attention to 11-36.

2 Could you tell the jury why you took this
3 particular photo?

4 A It just indicates the top of his head.

5 There's also this, this injury right to the top of
6 his head, which could have been from the blow.

7 Q 11-37. Same question.

8 A It's to show the bruising around his eye and the
9 blood over his right temple.

10 Q 11-38.

11 A Okay. I would direct you to his knee as well as
12 his shin.

13 He had indicated that they'd struck him with a
14 baseball bat or hard object across his knees and his
15 shins as well as his feet.

16 Q 11-39.

17 A This is a photograph indicating the left and right,
18 primarily the left leg.

19 So, again, there's the bruising right here across
20 the knees.

21 And as I recall, he indicated that he'd been in a
22 seated position when they struck him across the
23 kneecaps.

24 Q 11-40.

25 A I was in particular taking that photograph because

Jury Trial Vol. XXVIII 12/11/2014
Lillian George-Direct Examination/Ms. Mohsin

1 that tattoo is right there which has many different
2 variables if you ask anybody.

3 Q That's something you've seen in connection with
4 members of motorcycle clubs?

5 A Yes.

6 Q All right. Directing your attention to 11-41.

7 A So this was consistent with his statement of being
8 struck by a hard object on his feet.

9 Again, the lighting in the hospitals are terrible,
10 but right here is -- across the face of his right foot
11 is a contusion, a bruising coming up. I mean it was a
12 pretty good goose egg coming up.

13 I took a different photograph and angles of that.
14 That was a fresh bruise.

15 Q 11-42?

16 A Same foot as the right foot facing from the arch
17 outward.

18 Q I want to direct your attention to the next series
19 of photographs 11-44.

20 Do you recognize that individual?

21 A Yes. That's Charlie Higgins.

22 Q All right. 11-40.

23 Anything about this photograph you want to point
24 out before we move to the next one?

25 A No. He had complained that he had also passed out.

Jury Trial Vol. XXVIII 12/11/2014
Lillian George-Direct Examination/Ms. Mohsin

1 He was in that same collar, so it was hard for him to
2 move his head.

3 Q 11-45.

4 A I was just making sure I could take tattoos of him
5 (sic).

6 Q 11-46.

7 A So the cuts on the pants -- if any of you know or
8 could see on television, they actually cut the clothing
9 off to see what type of injuries they have.

10 But he had a pretty good laceration and avulsions
11 from falling down into the ravine, according to his
12 statement.

13 Q 11-47.

14 A Again, there's an injury right on the elbow, on the
15 crown of the elbow right here.

16 Q Is that why you took the photo?

17 A I did.

18 Q 11-48.

19 A Right along his left ribcage, it's smeared with
20 dirt and blood.

21 But there also appeared to be a pattern injury
22 there consistent with something hard striking him hard
23 and long.

24 Q Directing your attention to 11-49.

25 A Just another depiction of the tattoos that he had

Jury Trial Vol. XXVIII 12/11/2014
Lillian George-Direct Examination/Ms. Mohsin

1 on his body.

2 Q 11-50.

3 A This is consistent with the information that we'd
4 received from "Johnny Old School". They'd beaten them
5 with the baseball bats or hard objects on the feet.

6 And there was, there was an enormous pooling of
7 blood here as well as around here, so there's some edema
8 going on.

9 Q Is that why you took that photo?

10 A Yes. If you look at the right kneecap, it's also
11 significantly bruised.

12 Q 11-52.

13 A These are the soles, soles of Mr. Higgins' foot.
14 He had no boots at all.

15 Q Directing your attention, now, to the next series
16 of photographs 11-54.

17 Do you recognize this photo?

18 A Yes.

19 Q Did you take that photo -- series of photos as
20 well?

21 A I did.

22 Q Who's that?

23 A Mr. McCoskey, the gentleman that was intubated.

24 Q And the people with the lights?

25 A Those are reflectors. That's the flight crew that

Jury Trial Vol. XXVIII 12/11/2014
Lillian George-Direct Examination/Ms. Mohsin

1 brought him in.

2 Q 11-55.

3 A Same.

4 Q Mr. McCoskey?

5 A It is.

6 What I was depicting were the markings on the
7 sole -- soles of his feet or balls of his feet which are
8 dirty and they had cactus in them.

9 So I couldn't get too close to these folks because
10 I had all medical treatment going on around them. But I
11 wanted to capture as much of the photographs as I could.

12 Again, he didn't have any clothing with him either.

13 Q 11-56. Who's that?

14 A That's Mr. McCoskey on his left side.

15 Q All right. Anything significant you want to
16 identify about the photo?

17 A I noticed that there's a bruising here on his
18 shoulder and -- yes.

19 On the left temple right here, so across the bone
20 just to, to the side of the temple. So along the
21 orbital.

22 Q Okay. 11-57.

23 Anything significant about that photo?

24 A Just another view same area.

25 Q Do you have more limited photos of Mr. McCoskey

Jury Trial Vol. XXVIII 12/11/2014
Lillian George-Direct Examination/Ms. Mohsin

1 then you had wanted?

2 A Yes.

3 Q Was that because of the medical personnel?

4 A And because of his medical condition, they were
5 struggling to hold onto him.

6 THE COURT: We'll take our morning recess, 20
7 minutes in the jury room, ladies and gentlemen.
8 Resuming in 20 minutes. Thank you.

9

10 (Whereupon court was in recess at 10:50 a.m.)

11

12

13

14

15 CERTIFICATE OF COURT REPORTER

16

17

18

19 I certify that the foregoing is a correct transcript
20 from reported proceedings in the above-entitled
21 matter.

22

23

24

25 s/Carol S. Sapala, FCRR, RMR December 11, 2014